

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

KENNETH BROOKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:04CV106 TIA
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Application for Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties consented to the jurisdiction of undersigned pursuant to 28 U.S.C. § 636(c).

On October 18, 2005, the undersigned remanded Plaintiff's case to the Commissioner for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$2,183.25, which represents 11.4 hours of attorney work at the 2004 rate of \$152.00 per hour, .95 hours of attorney work at the 2005 rate of \$156.00 per hour, and 4.65 hours of legal assistant time at \$65.00 per hour. In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. Kelly v. Bowen, 862 F.2d 1333 (8th Cir. 1988).

In the instant case, Defendant has filed a response stating that it has no objection to Plaintiff's request for an award of attorney's fees in the amount of \$2,183.25. The undersigned thus finds that Plaintiff is entitled to attorney's fees for the requested amount. An appropriate Judgment will accompany this Memorandum and Order.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for an Award of Attorney's Fees and Other Expenses Under the Provisions of the Equal Access to Justice Act [Doc. #16] is **GRANTED**.

/s/ Terry I. Adelman  
UNITED STATES MAGISTRATE JUDGE

Dated this 5th day of April, 2006.

